

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LESIMEON BROOKS,

Plaintiff,

-against-

PAROLE/DOC,

Defendant.

21-CV-8443 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff was incarcerated in Rikers Island when he filed this complaint, but he has since been released. By order issued and mailed out on October 29, 2021, the Court directed Plaintiff to update his address within 30 days, and alerted him that failure to comply would result in dismissal of the action without prejudice. On November 19, 2021, the order was returned to the Court with a notation on the envelope indicating that the mail was undeliverable to that address. Plaintiff has not complied with the Court's order, has failed to notify the Court of a change of mailing address, and has not initiated any further contact with the Court, written or otherwise. Accordingly, Plaintiff's complaint, filed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(1), is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated:

Dated: December 6, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge